

4421. Adulteration and misbranding of vanilla extracts. U. S. * * * v. The Hudson Mfg. Co., a corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 6278. I. S. Nos. 22388-d, 22389-d, 8327-e, 8328-e, 9122-h.)

On June 11, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hudson Mfg. Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 14, 1912, from the State of Illinois into the State of Tennessee, of quantities of two different brands of vanilla extract; on or about September 28 and November 11, 1912, from the State of Illinois into the State of Indiana, of quantities of vanilla extract; and on or about November 10, 1913, from the State of Illinois into the State of Texas, of a quantity of vanilla extract, all of which were adulterated and misbranded. One of the shipments to Tennessee was labeled: "Hudson's Prime Flavor Vanilla-Tonka and Imitation Vanilla Color and Flavor Made by the Hudson Mfg. Co. Chicago, Ill." The shipment to Texas was labeled: "Hudson's Ice Cream Flavor Vanilla and Tonka and Imitation Vanilla Color and Flavor. Made by The Hudson Mfg. Co., Chicago, U. S. A."

Analysis by the Bureau of Chemistry of this department of a sample of the Tennessee shipment referred to showed the following results:

Vanillin (per cent)	0.07
Coumarin (per cent)	0.07
Resins: None.	
Normal lead number	0.07
Color value of extract:	
Red	51.3
Yellow	148
Color value of lead filtrate:	
Red	7.2
Yellow	21.8
Per cent of original color in lead filtrate:	
Red	14
Yellow	14.8
Caramel test (Woodman Newhall): Positive.	
Alcohol (per cent by volume)	7.6
Methyl alcohol: Absent.	

Product is a dilute alcoholic solution containing artificial vanillin and coumarin and little, if any, vanilla or tonka extract, and is artificially colored with caramel.

Analysis of a sample of the Texas shipment by said Bureau of Chemistry showed the following results:

Vanillin (gram per 100 cc)	0.76
Coumarin (gram per 100 cc)	0.08
Resins: None.	
Lead number	0.04
Color value of extract:	
Red	50
Yellow	151
Color value of lead filtrate:	
Red	14.4
Yellow	47.2

Per cent of original color in lead filtrate:

Red -----	28.8
Yellow -----	31.2
Color insoluble in amyl alcohol (per cent) -----	88
Caramel test (Woodman Newhall): Positive.	
Alcohol (per cent by volume) -----	9.2
Methyl alcohol: Absent.	

Product is a dilute alcoholic solution containing artificial vanillin and coumarin and little, if any, vanilla or tonka extract, and is artificially colored with caramel.

Adulteration of these products was alleged in the information for the reason that an artificially colored dilute alcoholic solution, containing vanillin and coumarin with very little, if any, vanilla and tonka extract, had been substituted, in whole or in part, for genuine vanilla and tonka flavor, colored and flavored in imitation of vanilla extract, which the said articles purported to be. Adulteration was alleged for the further reason that the articles were dilute alcoholic solutions, containing vanillin and coumarin with little, if any, vanilla and tonka extract, and were colored with, to wit, caramel, in a manner whereby true vanilla tonka extract was simulated and their inferiority to such extract was concealed.

Misbranding was alleged for the reason that the following statements appearing on the labels aforesaid: "Hudson's Prime Flavor Vanilla-Tonka and Imitation Vanilla Color and Flavor" (in the case of the Tennessee shipment referred to), and "Flavor Vanilla and Tonka and Imitation Vanilla Color and Flavor" (in the case of the Texas shipment), were false and misleading in that they indicated to the purchasers thereof, and were such as to deceive and mislead purchasers into the belief, that the articles were, respectively, genuine vanilla and tonka flavor, artificially colored and flavored in imitation of vanilla extract, when, in truth and in fact, they were not, but were, to wit, artificially colored dilute alcoholic solutions, containing vanillin and coumarin with very little, if any, vanilla and tonka extract. Misbranding was alleged for the further reason that the articles were artificially colored dilute alcoholic solutions, containing vanillin and coumarin with very little, if any, vanilla and tonka extract, and were imitations of, and were offered for sale under the distinctive name of, other articles, to wit, vanilla tonka flavor (in the case of the Tennessee shipment referred to), and "Flavor Vanilla and Tonka and Imitation Vanilla Color and Flavor" (in the case of the Texas shipment).

The other Tennessee shipment and the two shipments to Indiana were labeled: "Prime Vanilla Extract Made from the extractive matter of prime vanilla beans and sweetened with cane sugar aged in wood. Made by The Hudson Mnfg. Co. Chicago, Ill."

Analyses of samples of these articles by said Bureau of Chemistry showed the following results, respectively:

Sample from Tennessee shipment.

Vanillin (per cent) -----	0.17
Coumarin: Absent.	
Normal lead number -----	0.20
Color value of extract:	
Red -----	25.0
Yellow -----	50.0

Color value of lead filtrate:

Red	1.3
Yellow	4.6

Per cent original color in lead filtrate:

Red	5.2
Yellow	9.2

Alcohol (per cent by volume) 19.1

Methyl alcohol: Absent.

Product is a dilute vanilla extract, fortified with artificial vanillin.

Sample from one of the Indiana shipments.

Vanillin (gram per 100 cc) 0.17

Coumarin: None.

Resins: Little.

Lead number 0.15

Color insoluble in amyl alcohol (per cent) 18.8

Color value of extract:

Red	20
Yellow	55

Color value of filtrate:

Red	0.6
Yellow	2.2

Per cent color in filtrate:

Red	3.0
Yellow	4.0

Solids (grams per 100 cc) 13.4

Ash (gram per 100 cc) 0.12

Alcohol (per cent by volume) 20.3

Contains very little, if any, vanilla.

Sample from the other Indiana shipment.

Vanillin (gram per 100 cc) 0.17

Coumarin: None.

Resins: Little.

Lead number 0.14

Color insoluble in amyl alcohol (per cent) 18.6

Color value of extract:

Red	20
Yellow	55

Color value of filtrate:

Red	0.6
Yellow	2.2

Per cent color in filtrate:

Red	3.0
Yellow	4.0

Solids (grams per 100 cc) 13.7

Ash (gram per 100 cc) 0.12

Alcohol (per cent by volume) 20.3

Contains very little, if any, vanilla.

Adulteration of these articles was alleged in the information for the reason that a dilute vanilla extract, fortified with vanillin, had been substituted, in

whole or in part, for genuine vanilla extract, which the said articles purported to be.

Misbranding of the articles in the Indiana shipments was alleged for the reason that the following statement, appearing on the labels of the articles, "Prime Vanilla Extract," was false and misleading in that it indicated to the purchasers thereof that the articles were genuine vanilla extracts, and was such as to deceive and mislead the purchaser into the belief that the articles were genuine vanilla extracts, when, in truth and in fact, they were not, but were, to wit, dilute vanilla extracts, fortified with vanillin. Misbranding of the article in the Tennessee shipment was alleged for the reason that it was labeled "Prime Vanilla Extract" so as to deceive and mislead the purchaser into the belief that it was genuine vanilla extract, when, in truth and in fact, it was not, but was a dilute vanilla extract fortified with vanillin. Misbranding of the articles in all three shipments was alleged for the further reason that the articles were dilute vanilla extracts, fortified with vanillin, and were imitations of, and offered for sale under the distinctive name of, another article, to wit, prime vanilla extract.

On March 3, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*